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15 Attorneys for Defendant  
16 GUILLERMO HERRERA

17 IN THE UNITED STATES DISTRICT COURT  
18 FOR THE NORTHERN DISTRICT OF CALIFORNIA

19 UNITED STATES OF AMERICA,

20 Case No. CR 08-0730 WHA

21 Plaintiff,

22 STIPULATION AND [PROPOSED]  
23 ORDER TO ACCEPT FILING OF  
24 GUILLERMO HERRERA'S MOTION FOR  
25 BILL OF PARTICULARS

26 vs.  
27 GUILLERMO HERRERA, *et al.*,

28 Defendants.

29 On July 10, 2009, the deadline for Stage Two motions in this case, Guillermo Herrera  
30 mistakenly filed a Motion for Bill of Particulars in person rather than by ECF.

31 At approximately 10:00 am on July 11, 2009, undersigned counsel realized that this  
32 mistake had been made. Undersigned counsel then immediately contacted the undersigned  
33 Assistant United States Attorney (AUSA Leung) and filed the Motion for Bill of Particulars by  
34 ECF. AUSA Leung indicated that he did not object to that filing.

1 Undersigned counsel therefore request that the status of this Motion be clarified and  
2 that it be deemed filed as a Stage Two motion in this case.

3 SO STIPULATED:

4  
5 DATED: July 28, 2009

/s Martin Sabelli  
MARTIN SABELLI  
Attorney for Guillermo Herrera

6  
7  
8  
9 DATED: July 28, 2009

/s Wilson Leung  
WILSON LEUNG  
Assistant United States Attorney

10  
11  
12 ORDER

13 Pursuant to stipulation, the Motion for Bill for Particulars is hereby deemed to be  
14 properly filed as a Stage Two motion in this matter.

15 IT IS SO ORDERED.

16  
17 Dated: July 28, 2009

